

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - OCEAN COUNTY
DOCKET NO. L-2891-14 PW

-----x

OROS BAIS YAAKOV HIGH SCHOOL
A nonprofit corporation of the
State of New Jersey,
Plaintiff,
vs.

TOWNSHIP OF JACKSON, N.J. and JACKSON
TOWNSHIP ZONING BOARD OF ADJUSTMENT,

Defendants.

-----x

DEPOSITION OF: ANN UPDEGRAVE
DATE: WEDNESDAY JUNE 12, 2019

HUDSON REPORTING & VIDEO

1-800-310-1769

New York
212-273-9911

Hudson Court Reporting & Video
1-800-310-1769

New Jersey
732-906-2078

1 Q. Okay. Now, with respect to Jackson
2 Township employment, explain that for me?

3 A. Well, I ran as a councilwoman. And
4 first I ran as a committee woman in 2005 and I won.
5 And then the government changed in Jackson and I ran
6 as a council in 2006 and I have been a councilwoman
7 since 2006 in Jackson.

8 Q. Are you still on the council?

9 A. No.

10 Q. And when did that terminate?

11 A. December 31, 2018, I retired from
12 everything.

13 Q. Were you holding any other
14 governmental positions at that time?

15 A. No.

16 Q. Had you ever, other than the Jackson
17 council position?

18 A. No.

19 Q. I'm sorry --

20 A. You mean did I ever in Jackson hold
21 another position?

22 Q. Anywhere.

23 A. For the past twelve and a years that
24 I was a councilwoman, I held no other position until
25 I got the job in Toms River eleven and a half years

1 A. My first time running as a
2 councilwoman, I was on with Mark Sata, Scott Martin,
3 Emily Ingram, Jason Gaditis and Angelo Stallone.

4 Q. And for each of you subsequent times
5 you ran, can you tell me who you were on a ticket
6 with?

7 A. After that, I ran with Mike Reina,
8 Scott Martin, and they were the two that I ran with
9 until I resigned. They were the two that I --

10 Q. Is that with the Republican party
11 ticket?

12 A. Yes.

13 Q. What was the job you had for 14 years
14 with Jackson Township?

15 A. I worked in the administration office
16 and I was their part-time purchasing assistant. I
17 wasn't the agent. And I was a principal clerk
18 typist in the administration office.

19 Q. What years were those?

20 A. 1987 to 2001.

21 Q. Did you return to that at all, even
22 in a part-time capacity?

23 A. No.

24 Q. And did you leave that job?

25 A. Yes.

1 Q. Back on the record.

2 Ms. Updegrave, I believe you
3 testified that you received e-mails from residents
4 -- I'm sorry, supporting ordinances 0317 and 0417,
5 correct?

6 A. Yes.

7 Q. Okay. And you received quite a few
8 e-mails regarding that, did you not?

9 A. Yes.

10 Q. All right. And in connection with
11 the e-mails that that supported 0317 and 0417, many
12 of those referenced the Orthodox Jewish community,
13 did they not?

14 A. I would have to read them. I don't
15 recall, but do you have them?

16 Q. Well, I am asking you; do you recall?

17 A. I don't recall them referencing,
18 but --

19 Q. Was it your understanding --

20 A. Yes.

21 Q. -- that it was about the Orthodox
22 Jewish community?

23 A. Yes.

24 Q. And in connection with those
25 ordinances, in addition to dormitories, there was a

1 school ban, correct?

2 A. Yes.

3 Q. Okay. And what was the purpose of
4 that?

5 A. I just know that I personally was
6 concerned about the dormitories, but as far as the
7 school, I can't answer that.

8 Q. But you voted in favor of that,
9 right?

10 A. Right.

11 Q. You received resident support through
12 e-mails --

13 A. Mm-hmm.

14 Q. -- for -- Jackson resident support
15 through e-mails --

16 A. Yes.

17 Q. -- for the school ban also?

18 A. Yes.

19 Q. Wasn't that really targeting the
20 Orthodox Jewish community also?

21 MS. TUTELO: Objection to form.

22 You can answer.

23 THE WITNESS: My opinion, yes.

24 BY MS. RATH:

25 Q. And whose idea was the school ban?

1 not just him.

2 Q. And no one ever expressed that it was
3 related to the Orthodox Jewish community moving in?

4 A. I don't remember Orthodox Jewish
5 being mentioned in front of me.

6 Q. How about Lakewood?

7 A. No, I don't remember Lakewood being
8 mention.

9 Q. Okay. But did you have an awareness
10 that people were talking about that in connection
11 with why they wanted the bedroom restriction?

12 A. I have to be very honest. I don't
13 remember or being made aware that the bedroom count
14 was for that reason.

15 Q. How about to keep out large families,
16 which the Orthodox Jewish individuals have?

17 A. Well, if you're trying to cut down on
18 bedrooms, you are trying to cut down on having a
19 large amount of people being able to live in the
20 development, in one particular residence. You don't
21 want a lot of people in a small, densely-populated
22 area.

23 Q. Okay. You know Michael Reina?

24 A. Yes.

25 Q. Do you consider him an anti-Semite?

1 A. Based on some of the things I've
2 read, I would say he is, yes.

3 Q. How about Robert Nixon?

4 THE WITNESS: Do I have to answer
5 that?

6 MS. TUTELO: Yes.

7 THE WITNESS: Yes.

8 BY MS. RATH:

9 Q. Barry Calogero, do you consider him
10 an anti-Semite?

11 A. Yes.

12 Q. How about Kenneth Bressi?

13 A. No.

14 Q. Scott Martin?

15 A. No.

16 Q. How about Michael Haften?

17 A. How about me? No.

18 Well, Mike Haften, I really can't
19 answer that. I would say no.

20 Q. Do you know the current council
21 members, the new ones?

22 A. No, I really don't know them very
23 well. And to be honest, I am retired now. I don't
24 want to know them.

25 Q. How about Helene Schlegel?

1 CERTIFICATE

2

3 I, GERALDINE ADINOLFI, a Certified Court
4 Reporter of the State of New Jersey, do hereby
5 certify that the witness was duly sworn by me.

6 I FURTHER CERTIFY that the foregoing is a
7 true and accurate transcript of the testimony as
8 taken stenographically by and before me at the time,
9 place and on the date hereinbefore set forth.

10 I FURTHER CERTIFY that I am neither a
11 relative nor employee nor attorney nor counsel of
12 any of the parties in this action and that I am
13 neither a relative nor employee of such attorney or
14 counsel, and that I am not financially interested in
15 the action.

16

17

18 Certified Court Reporter

19 License No. 30XI00228000

20

21

22 Dated: June 12, 2019

23

24

25